

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

GULNAR ALBUSHOVA,

Plaintiff,

v.

UR M. JADDOU, et al.,

Defendants.

CASE NO. 2:24-cv-01217-LK

ORDER GRANTING STIPULATED  
MOTION TO HOLD CASE IN  
ABEYANCE


This matter comes before the Court on the parties' Stipulated Motion to Hold Case in Abeyance. Dkt. No. 5. Plaintiff Gulnar Albushova brought this litigation under the Administrative Procedure Act and Mandamus Act seeking, *inter alia*, to compel the U.S. Citizenship and Immigration Services ("USCIS") to adjudicate her Form I-589 Application for Asylum and for Withholding of Removal. Dkt. No. 1 at 10–12. Defendants' response to the Complaint is currently due on October 21, 2024. Dkt. No. 5 at 1. Because the parties are currently working towards an out-of-court resolution to this litigation, they now move this Court to hold the case in abeyance until February 28, 2025. *Id.* at 1–2.

1 “[T]he power to stay proceedings is incidental to the power inherent in every court to  
2 control the disposition of the causes on its docket with economy of time and effort for itself, for  
3 counsel, and for litigants.” *Landis v. North Am. Co.*, 299 U.S. 248, 254 (1936). The Court “may  
4 order a stay of the action pursuant to its power to control its docket and calendar and to provide  
5 for a just determination of the cases pending before it.” *Leyva v. Certified Grocers of Cal., Ltd.*,  
6 593 F.2d 857, 864 (9th Cir. 1979). In considering whether to grant a stay, courts consider several  
7 factors, including “the possible damage which may result,” “the hardship or inequity which a party  
8 may suffer in being required to go forward,” and “the orderly course of justice[.]” *CMAX, Inc. v.*  
9 *Hall*, 300 F.2d 265, 268 (9th Cir. 1962).

10 As noted, this case may be resolved without further judicial intervention. The parties  
11 represent that “USCIS has scheduled Plaintiff’s asylum interview for October 31, 2024” after  
12 which USCIS will “work towards completing the adjudication within 120 days of the interview[.]”  
13 Dkt. No. 5 at 2. If and when that happens, “Plaintiff will dismiss the case[.]” *Id.* A stay to allow  
14 this process to play out will not cause any damage, nor any hardship or inequity to either party,  
15 and will promote the orderly course of justice and preserve the parties’ and the Court’s resources.

16 The Court thus GRANTS the parties’ Motion. Dkt. No. 5. This case will be held in  
17 abeyance until February 28, 2025. The parties are ORDERED to submit a joint status report on or  
18 before February 28, 2025.

19  
20 Dated this 27th day of September, 2024.

21 

22 Lauren King  
23 United States District Judge  
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